

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

**BELAY CAPITAL PARTNERS 1, LLC** )  
as successor by assignment to **FIFTH** )  
**THIRD BANK,** ) **NO. 3:10-cv-00034**  
 )  
**Plaintiff,** ) **JUDGE CAMPBELL**  
v. ) **MAGISTRATE JUDGE HOLMES**  
 )  
**WINDHAVEN SHORES, INC., et al.,** )  
 )  
**Defendants.** )

**ORDER**

Pending before the Court is defendant/judgment debtor Frances Williams' Motion to Quash Garnishment / Execution and Claim Exemption Rights. (Doc. No. 63). The motion was referred to the Magistrate Judge. (*See* Order, Doc. No. 64). Because no timely response was filed to the motion to quash, the Magistrate Judge recommended the motion to quash be granted. (*See* Report and Recommendation, Doc. No. 66).

The Report and Recommendation advised that any objections to the Magistrate Judge's Report and Recommendation were to be filed within fourteen days of service. (Doc. No. 66 at 5). No objections have been filed.

The Court has reviewed the Report and Recommendation (Doc. No. 66) and finds it should be **ADOPTED and APPROVED**. Accordingly,

1. Defendant/judgment debtor France E. Williams' motion to quash garnishment/execution (Doc. No. 63) is **GRANTED**.
2. The writ of execution directed to Regions Bank (Doc. No. 61) is hereby **QUASHED and DISSOLVED**.

3. Counsel for defendant/judgment debtor Frances E. Williams shall file a notice providing the payee information address to which the check should be sent. After this information is received, the Court will issue a separate order directing the Clerk of Court to release the funds to Ms. Williams.

It is so **ORDERED**.



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WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE